

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Iven Connary et. al.  
Application No. : 10/649,804  
Filed : August 26, 2003  
Title : DETERMINING THREAT LEVEL ASSOCIATED WITH  
NETWORK ACTIVITY  
Art Unit : 2136  
Confirmation No. : 6001  
Examiner : Fikremariam A. Yalew

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR ACKNOWLEDGEMENT OF  
INFORMATION DISCLOSURE STATEMENT FILED OCTOBER 27, 2004**

Sir:

Applicants request that the Examiner acknowledge the U.S. patent applications cited in the Information Disclosure Statement filed electronically with the USPTO on October 27, 2004 by returning an initialed copy of the form. Enclosed is a copy of the papers as filed and the USPTO Acknowledgement Receipt confirming that the documents were filed on October 27, 2004.

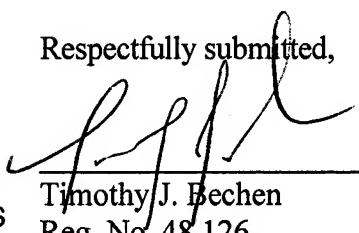
Atty. Docket No. 600323-086  
AUS920065022US1  
PATENT

It is believed that no fee is required for entry of this request. If a fee is due, the Commissioner is authorized to charge such fee or credit any overpayment to Deposit Account No. 50-4026.

Dated: June 9 2008

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY THROUGH  
THE PATENT AND TRADEMARK OFFICE EFS  
FILING SYSTEM ON June 9 2008.

Respectfully submitted,

  
\_\_\_\_\_  
Timothy J. Bechen  
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499 Park Ave.  
New York, New York 10022  
Tel : (212) 328-6000  
Fax: (212) 328-6001

*Customer No. 61834*

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**ACKNOWLEDGEMENT RECEIPT**

Electronic Version 1.1

Stylesheet Version v1.1.1

Title of Invention	Determining Threat Level Associated With Network Activity																									
Submission Type: Information Disclosure Statement Application Number: 10/649804 *10/649804* EFS ID: 71282 Server Response: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 20%;">Confirmation Code</th> <th style="width: 80%;">Message</th> </tr> </thead> <tbody> <tr> <td>ISVR1</td> <td>Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application</td> </tr> <tr> <td>ICON1</td> <td>6001</td> </tr> <tr> <td>USPTOEFSNotice</td> <td>For assistance with e-filing a patent application, contact the Patent Electronic Business Center: Toll-Free Number:1(866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a></td> </tr> </tbody> </table>			Confirmation Code	Message	ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, please do not resubmit this application	ICON1	6001	USPTOEFSNotice	For assistance with e-filing a patent application, contact the Patent Electronic Business Center: Toll-Free Number:1(866) 217-9197 Website: <a href="http://www.uspto.gov/ebc/">http://www.uspto.gov/ebc/</a>																
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First Named Applicant: Iven Connary Attorney Docket Number: 1204342245 Timestamp: 2004-10-27 14:43:30 EDT From: us																										
File Listing: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 20%;">Doc. Name</th> <th style="width: 60%;">File Name</th> <th style="width: 20%;">Size (Bytes)</th> </tr> </thead> <tbody> <tr> <td>us-ids</td> <td>1204342245IDS-usidst.xml</td> <td>3106</td> </tr> <tr> <td>us-ids</td> <td>us-ids.dtd</td> <td>7763</td> </tr> <tr> <td>us-ids</td> <td>us-ids.xsl</td> <td>12026</td> </tr> <tr> <td>package-data</td> <td>1204342245IDS-pkda.xml</td> <td>2984</td> </tr> <tr> <td>package-data</td> <td>package-data.dtd</td> <td>27025</td> </tr> <tr> <td>package-data</td> <td>us-package-data.xsl</td> <td>19263</td> </tr> <tr> <td align="right" colspan="2">Total files size</td> <td>72167</td> </tr> </tbody> </table>			Doc. Name	File Name	Size (Bytes)	us-ids	1204342245IDS-usidst.xml	3106	us-ids	us-ids.dtd	7763	us-ids	us-ids.xsl	12026	package-data	1204342245IDS-pkda.xml	2984	package-data	package-data.dtd	27025	package-data	us-package-data.xsl	19263	Total files size		72167
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Message Digest: 3a97e66f568a98c5b64a646f55db9ffa2200df03 Digital Certificate Holder Name: cn=John R. Harris,ou=Registered Attorneys,ou=Patent and Trademark Office,ou=Department of Commerce,o=U.S. Government,c=US																										

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Connary et al. )  
Serial No. 10/649,804 ) Art Unit: 2131  
Filed: August 26, 2003 ) Conf. No. 6001  
For: Determining Threat Level Associated With )  
Network Activity )

**INFORMATION DISCLOSURE STATEMENT**

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**PAPER FILING ASSOCIATED WITH AN ELECTRONIC IDS FILING**

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Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant(s) hereby submit the information listed on the accompanying forms PTO/SB/08A, PTO/SB/08B for consideration by the Examiner in connection with the examination of the above-identified patent application.

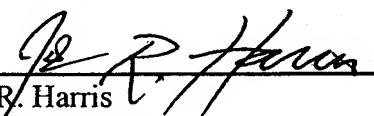
Copies of the documents listed in the accompanying forms are enclosed herewith.  
 This application is a (continuation/divisional/continuation-in-part) of U.S. Application No. \_\_\_\_\_ filed on \_\_\_\_\_. Pursuant to 37 C.F.R. §1.98(d), copies of the documents listed in the accompanying forms were previously provided in the earlier

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CERTIFICATE UNDER 37 CFR 1.10

Date of Deposit: October 27, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service To Addressee' service under 37 CFR 1.10 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
John R. Harris  
Reg. No. 30,388

application and such application is relied on for an earlier effective filing date under 35 U.S.C. 120.

**BASIS FOR THIS SUBMISSION**

An electronic information disclosure statement (IDS) is being submitted on this day concurrently with this paper IDS filing. Therefore the entire information disclosure statement submitted this day consists of each of the paper documents submitted herewith and each of the documents submitted in the electronic IDS filing.

**SUBMISSION**

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being submitted as indicated below:

- (1) (NO FEE DUE) Pursuant to 37 C.F.R. § 1.97(b), (i) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53 (d), or (ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or (iii) before the mailing of the first Office Action on the merits, or (iv) before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114; or
- (2) Pursuant to 37 C.F.R. § 1.97(c), after the period defined in (1) but before the mailing date of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution in the application, and
  - the requisite Statement is below, or
  - the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted herewith, or
  - the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

(3) Pursuant to 37 C.F.R. § 1.97(d), after the period defined in (2) but before payment of the issue fee, and

- the requisite Statement is below, and
- the requisite fee under 37 C.F.R. § 1.17(p), namely \$180 is submitted herewith.
- the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

It is respectfully requested that each of the documents listed on accompanying forms PTO/SB/08A, PTO/SB/08B and other information contained herein be considered by the Examiner and made of record in this application.

**STATEMENT**

As required under 37 C.F.R. § 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or,
- (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**OTHER BASES FOR THIS FILING**

- The above identified materials are submitted in this Continued Prosecution Application (CPA) under 37 C.F.R. § 1.53(d) before the mailing of the first Office Action, and it is therefore

believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(3).

A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in conjunction with this application:

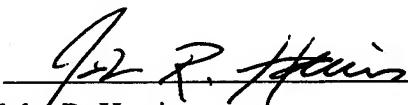
(i)  was filed on \_\_\_\_\_; or

(ii)  is filed concurrently herewith.

The above identified materials are submitted in this application before the mailing of a first Office Action after the RCE filing, and it is therefore believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(4).

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rule of Practice in patent cases, or otherwise.

Respectfully submitted,

  
John R. Harris  
Reg. No. 30,388  
Attorney for Applicant

Dated: October 27, 2004.

MORRIS, MANNING & MARTIN, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, N.E.  
Atlanta, Georgia 30326

Tel. No.: 404/233.7000

Fax. No.: 404/365.9532

**CUSTOMER NO.: 24728**

## ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0

Title of Invention	Determining Threat Level Associated With Network Activity									
Application Number:	10/649804 *10/649804*									
Confirmation Number:	6001									
First Named Applicant:	Iven Connary									
Attorney Docket Number:	1204342245									
Art Unit:	2131									
Search string:	( 20020066034 or 20030084349 or 20030177389 or 20020112185 or 20020107953 or 20020032871 or 20010039579 ).pn.									
US Published Applications										
Note: Applicant is not required to submit a paper copy of cited US Published Applications										
init	Cite.No.	Pub. No.	Date	Applicant	Kind					
	1	20020066034	2002-05-30	Schlossberg et al.	Class					
	2	20030084349	2003-05-01	Friedrichs et al.	Subclass					
	3	20030177389	2003-09-18	Albert et al.						
	4	20020112185	2002-08-15	Hodges						
	5	20020107953	2002-08-08	Ontiveros et al.						
	6	20020032871	2002-03-14	Malan et al.						
	7	20010039579	2001-11-08	Trcka et al.						

### Remarks

Note: Remarks are not for responding to an office action.

\*\*NOTE: A paper submission of non-patent and foreign patent references is being filed concurrently this day. This electronic submission consists of one part. In compliance with the Applicant's duty of disclosure under 37 CFR 1.56, Applicant brings the attached document or documents cited on the attached form PTO/SB/08 to the attention of the U.S. Patent and Trademark Office in accordance with the provisions of 37 CFR 1.97 and 1.98. Nothing herein, including the submission of the documents themselves, whether in this or any other filing, constitutes an admission by Applicant that any of the documents is prior art with respect to the present invention, or a waiver of any rights of Applicant. Indeed, while each citation includes a date, it should be understood that, whether expressly stated or

not, the date specified in the citation is a date as alleged by the document or otherwise, and Applicant neither admits nor denies the correctness of the specified date at this time. Moreover, with regard to non patent documents, Applicant neither admits nor denies that each document submitted is, in fact, a "publication" within the meaning of 35 USC 102.

**Signature**

Examiner Name	Date